

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

1011-326

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/890035

INTERNATIONAL APPLICATION NO.

PCT/IT99/00338

INTERNATIONAL FILING DATE

22 October 1999

PRIORITY DATE CLAIMED

Feb 04 ~~2 April~~ 1999 BAC

TITLE OF INVENTION

COSMETIC PRODUCT CONTAINER AND METHOD FOR MAKING IT

APPLICANT(S) FOR DO/EO/US

Martine VOLKA

Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Copy of Form PCT/RO/101; International Search Report; Copy of the Demand; Amendments made after the Preliminary amendment; Report; Copy of written opinion; Reply to the written opinion; and International Preliminary Examination Report

09890035-072601

U.S. APPLICATION NO. 09/890035 INTERNATIONAL APPLICATION NO. PCT/IT99/00338		ATTORNEY'S DOCKET NUMBER 1011-326					
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		CALCULATIONS PTO USE ONLY <table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;">860.00</td> </tr> <tr> <td style="border: none;">\$</td> <td style="border: none;"></td> </tr> </table>		\$	860.00	\$	
\$	860.00						
\$							
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$			
\$							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total claims	6 - 20 =		x \$18.00				
Independent claims	1 - 3 =		x \$80.00				
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		1	+ \$270.00				
TOTAL OF ABOVE CALCULATIONS =		\$ 1,130.00					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;">565.00</td> </tr> </table>		\$	565.00		
\$	565.00						
SUBTOTAL =		\$ 565.00					
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$			
\$							
TOTAL NATIONAL FEE =		\$					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$			
\$							
TOTAL FEES ENCLOSED =		\$ 565.00					
		Amount to be refunded:	\$				
		charged:	\$				

a. ☒ A check in the amount of \$ 565.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

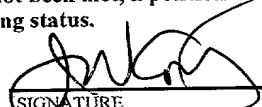
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 08-1540. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
 information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 JAMES V. COSTIGAN, BSQ.

 HEDMAN & COSTIGAN, P.C.
 1185 AVENUE OF THE AMERICAS, SUITE 2003
 NEW YORK, NY 10036-2646
 212-302-8989


 SIGNATURE
 JAMES V. COSTIGAN
 NAME
 25,669
 REGISTRATION NUMBER

09/890035

Docket No.: 1011-326

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

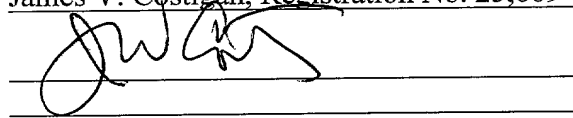
"Express Mail" Mailing Label # EL740691382US

Date of Deposit: July 26, 2001

I hereby certify that this paper and fee is being deposited with the United States Postal Service by "Express Mail Post Office to Addressee" Service under 37 CFR '1.10 on the date indicated above and is address to:

Box PCT
Commissioner for Patents
Washington, DC 20231

James V. Costigan, Registration No. 25,669

A handwritten signature in dark ink, appearing to read 'JVC', is written over two horizontal lines.

09890035 072601

4/ PRTS

COSMETIC PRODUCT CONTAINER AND METHOD FOR MAKING IT

BACKGROUND OF THE INVENTION

The present invention relates to a cosmetic product container and a method for making it.

5 As is known, cosmetic products such as creams, of the paste or fluid type, solar oils, bath products and so on, are conventionally contained in a lot of different containers such as jars, small bottles or tubes, made of a lot of different
10 materials, such as plastic materials or glass.

Prior cosmetic product containers, however, are conventionally made by combining two or more distinct pieces, and, in particular, they comprise a container body and a respective covering element,
15 which is frequently threaded on the body of the container.

This approach, in which two or more discrete elements must be coupled to one another to provide a finished container, is not considered as
20 satisfactory, from an economic standpoint, since it would be desirable to reduce as far as possible the making and assembling cost of the above mentioned containers, before filling said containers with the cosmetic product to be held therein.

25 In this connection it should be pointed out that the above mentioned problems are further compounded in all the cases in which, because of the nature of the cosmetic product to be handled, it is necessary to also provide an intermediate element,
30 including a throughgoing hole, for providing a metered delivery of the liquid or semi-liquid

09890035-072601

cosmetic products, which further complicates the container construction.

From the above, it should be apparent that it would be desirable to provide a cosmetic product container allowing to solve the above mentioned problems.

SUMMARY OF THE INVENTION

Accordingly, the aim of the present invention is to provide a cosmetic product container which is made as a single piece, both in a single component embodiment and in a bi-component embodiment thereof.

The above mentioned aim, as well as further objects which will become more apparent hereinafter, are achieved by the present invention which specifically provides a cosmetic product container comprising a container body for a cosmetic product and at least a covering element, characterized in that said container body and covering element are made as a single-piece by injecting at least a component and in that said container body and covering element are coupled to one another by a hinge.

According to a preferred embodiment of the present invention, the covering element is provided with a gasket, made of a material different from that forming the assembly constituted by the covering element and container body.

According to another preferred embodiment of the present invention, the gasket and covering element and container body assembly are made by a bi-injection of two different components.

According to another preferred embodiment of the present invention, the container body is open at the end portion thereof opposite to the covering element, thereby said container body can be easily coupled to a bottle or tube.

In this connection it should be pointed out that an opened configuration of the container body would allow the bottle or tube associated therewith to be easily made by a blow molding operation.

According to a further preferred embodiment of the present invention, between the container body and covering element a perforated flat element is arranged, in turn coupled to said container body by a second hinge, the assembly being made as a single piece by injecting either a single component or two different components.

Alternately, the container body is closed, at the end portion thereof opposite to said covering element, thereby providing a jar configuration.

The present invention relates moreover to a method for making a cosmetic product vessel, characterized in that said method comprises at least an injection step for injecting at least a component to provide an assembly including a container body and at least a covering element, coupled to one another by a hinge.

According to a preferred embodiment of the present invention, the method also comprises a second blow molding step, to define the configuration of the container body.

Finally, the injection step can be made by using two different components, which are processed by a bi-injection apparatus.

BRIEF DESCRIPTION OF THE DRAWINGS

Further advantages and characteristics of the present invention will become more apparent hereinafter from the following detailed disclosure, provided by way of an illustrative, but not limitative example, with reference to the accompanying drawings, where:

Figure 1 is a cross-sectional view of a cream jar according to a first embodiment of the present invention, in an open configuration thereof;

Figure 2 is a cross-sectional view illustrating the cream jar of Figure 1, in a closed configuration or condition thereof;

Figure 3 is a side view of the cream jar shown in Figures 1-2, in an open configuration or condition thereof;

Figure 4 is an axonometric view illustrating a capsule which can be coupled to containers of vial or tube configuration, according to another embodiment of the present invention;

Figure 5 is a further axonometric view of a capsule coupled to a vial or small bottle according to a modified embodiment of the present invention;

Figure 6 is a cross-sectional view illustrating a detail showing a possible embodiment of a hinge according to the present invention;

Figure 7 is a partially cross-sectioned view illustrating the capsule of Figure 5, in an open condition thereof;

Figure 8 is a further partially cross-sectioned view illustrating the capsule of Figure 5, in a closed condition thereof;

Figure 9 is yet another partially cross-

0000035 072501

sectioned view illustrating the capsule of Figure 5,
coupled to a tube, in a closed condition thereof;
and

Figure 10 is a side view of a tube provided
5 with a capsule according to the present invention.

DESCRIPTION OF THE PREFERRED EMBODIMENTS

In the following disclosure, reference will
be made to some preferred embodiments of the present
10 invention, which are illustrated, by way of a non
limitative example for disclosing different possible
variations of the invention.

A first exemplary embodiment of the
cosmetic product container according to the present
15 invention is shown in Figures 1-3 and is generally
indicated by the reference number 1.

According to this embodiment, the cosmetic
product container comprises a container body 2, for
holding therein a set cosmetic product, and a
20 covering element 5.

The container body 2 and covering element 5
are made in a single piece, by injecting a first
component, and are coupled to one another by a hinge
4.

Moreover, to the covering element 5 a
25 gasket or seal 3 is applied, said gasket being made
of a material different from that of the assembly
constituted by the covering element 5 and container
body 2.

In this connection, it should be pointed
30 out that the gasket 3 and the covering element 5 and
container body 2 can be made by bi-injecting two
different components.

09890035.072601

As shown, the container body 2 is closed at the end thereof opposite to said covering element 5, so as to provide a jar 1.

A second embodiment of the invention is illustrated in Figure 4 and generally indicated by the reference number 10; in this embodiment, the container body 12 is open at the end thereof opposite to the covering element 15, in turn provided with a gasket 13.

Thus, the container body 12 can be coupled to a vial or bottle 30 or to a tube 40.

Also in this embodiment, the container body 12 and covering element 15 are made in a single piece by injecting a first single component and are coupled to one another by a hinge 14.

According to this embodiment, the open container body 12 would allow to provide, by a blow-molding operation, the vial or bottle 30 associated therewith, as is shown in Figure 5, or a tube 40, as is shown in Figures 9-10.

According to a further embodiment of the invention, as shown in Figures 5 and 7-9, and generally indicated by the reference number 20, between the container body 22 and covering element 25 is arranged a flat element 26, provided with a throughgoing hole 28 and a gasket 27.

Said flat element 26 is in turn coupled to the container body 22 by a hinge 41, the container body 22 and covering element 25 being coupled by a hinge 24.

Also in this embodiment, the device 20 is made as a single piece, by injecting a single component or, possibly, two different components, in

the case in which the disclosed gasket elements must be made.

The present invention further relates to a method for making cosmetic product containers.

5 At first, the cream jars 1 can be made
starting from a single component, by using an
injection apparatus, or, if a gasket 3 or other
different material must be made, then they can be
made starting from two different components, by using
10 a bi-injection apparatus.

In the case of the vials 30 or of the tubes 40, they can be made by a making method comprising a first injection step and a second blowing step.

The first injection step can be carried out by a single component or by a bi-component material, as already disclosed, and depending on the result to be obtained with reference to the materials forming the finished products.

The blowing step will define the type of
20 the finished product, which can comprise either a
vial 30 or a tube 40.

This would mean that, with a same injection pre-mold it would be possible to make, by blowing, different types of vials or bottles 30 and/or tubes 40 having the same volume or slightly different volumes.

From the above disclosure it should be apparent that the invention fully achieves the intended objects.

CLAIMS

1. A cosmetic product container (1), comprising a container body (2) and at least a covering element (5), said container body (2) and covering element (5) being made as a single piece by injecting a first material and being coupled to one another by a hinge (4), characterized in that to said covering element (5) a gasket (3) is applied, said gasket being made by injecting a second material different from said first material comprising said covering element (5) and container body (2).

2. A cosmetic product container (1), according to Claim 1, characterized in that said container body (2) is closed at a bottom end thereof opposite to said covering element (5) thereby providing a jar container (2).

3. A cosmetic product container, according to Claim 1, characterized in that said container body (2) is open at bottom portion thereof opposite to said covering element (5), to be coupled to a vial (30) or a tube (40).

4. A cosmetic product container, according to Claim 3, characterized in that said vial (30) or tube (40) are made by a blow molding process through said open body (2).

5. A cosmetic product container, according to 1, characterized in that between said container body (2) and said covering element (5) is arranged a perforated flat element (26), coupled to said container body (2) by a second hinge (41), in a single piece with said container body.

6. A method for making a cosmetic product container, according to Claim 1 and 2, said method

comprising the injection of a further material for making an assembly constituted by a container body (2) and a covering element (5), which are coupled to one another by an integral hinge (4, 41), characterized in that said method comprises a further injection of a second material for forming a gasket (3) for tightly coupling said container body (2) and covering element (5).

7. A method for making a cosmetic product container, according to Claim 4, characterized in that said method comprises a step of injection molding said container body (2) and covering element (5), said container body (2) being formed open at the end thereof opposite to said covering element (5) and blow molding through said open container body (2) a cosmetic holding vial (30) or tube (40).

1/4

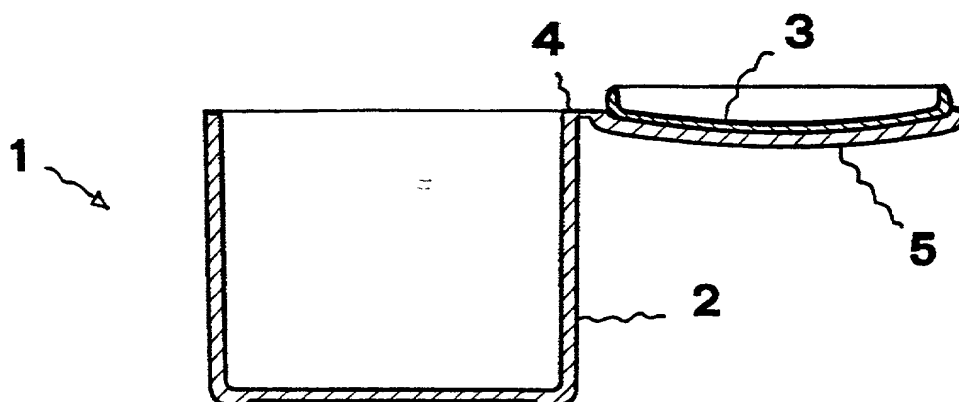


FIG. 1

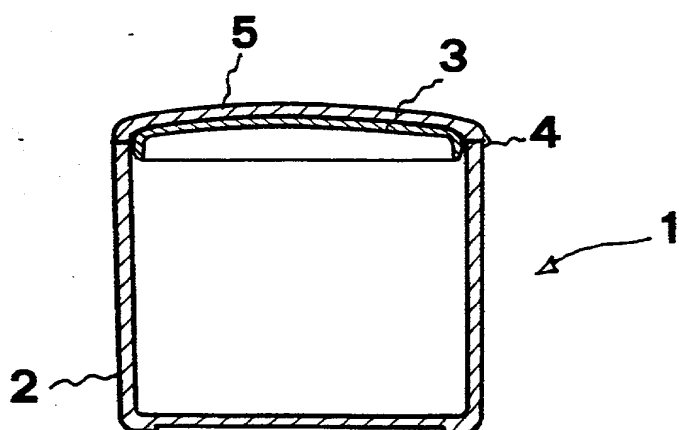


FIG. 2

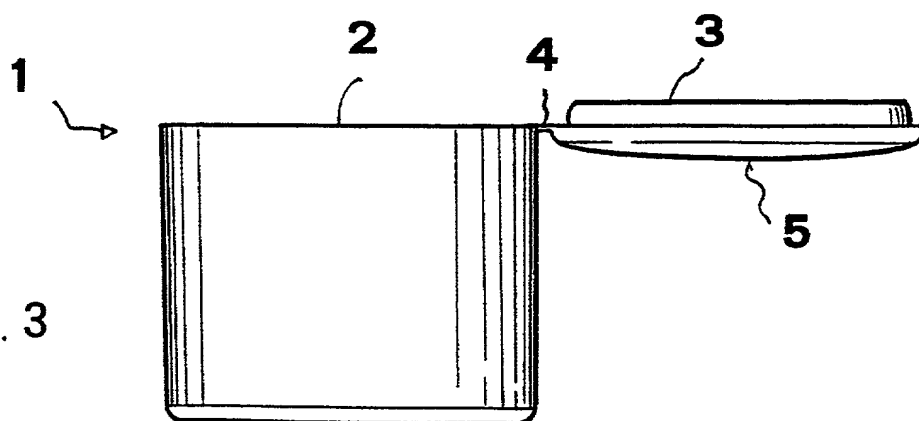


FIG. 3

FIG. 1

2/4

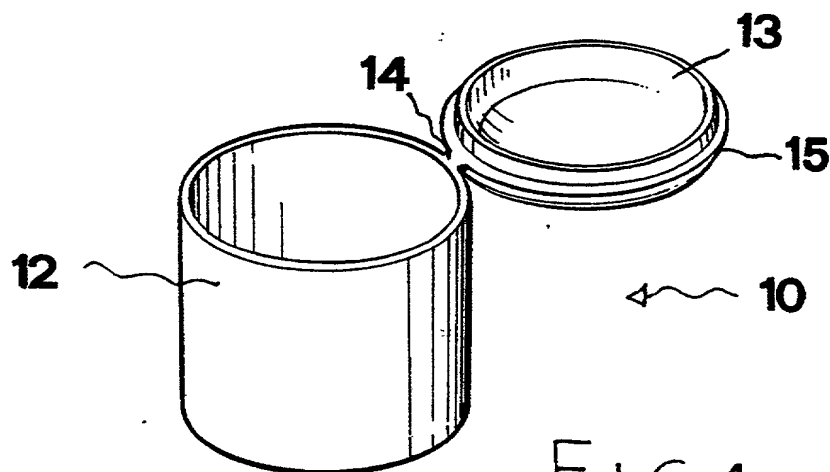


FIG. 4

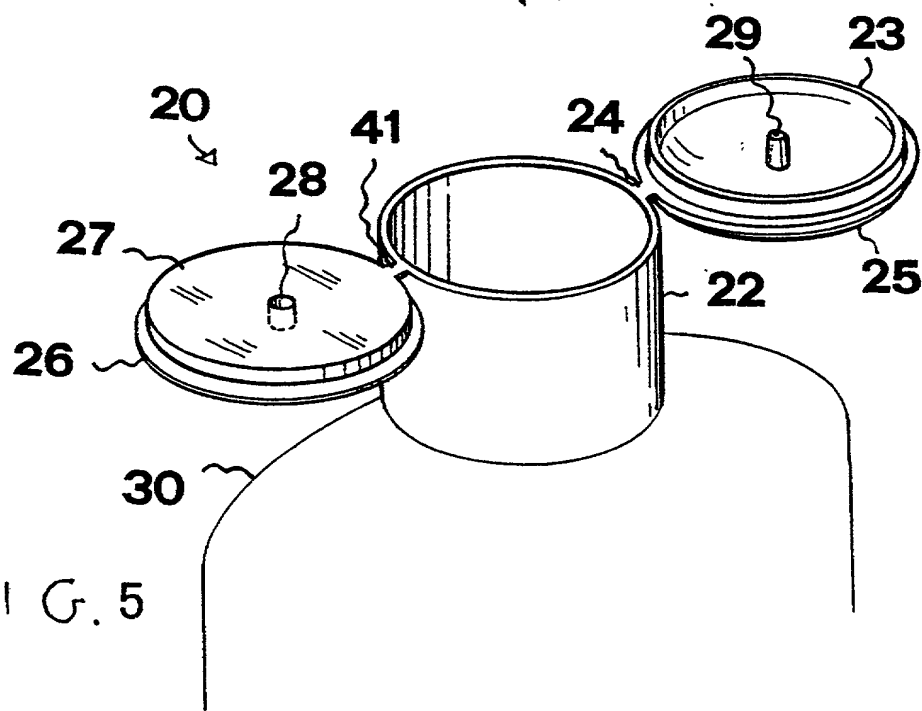


FIG. 5

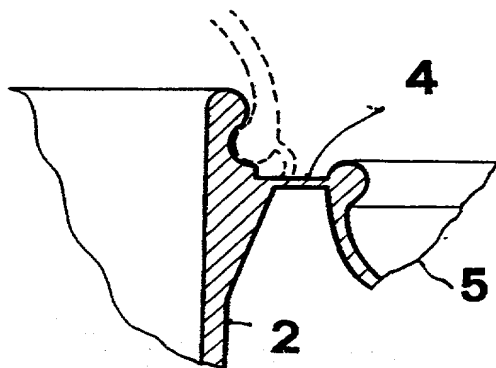


FIG. 6

FIG. 2/4

3/4

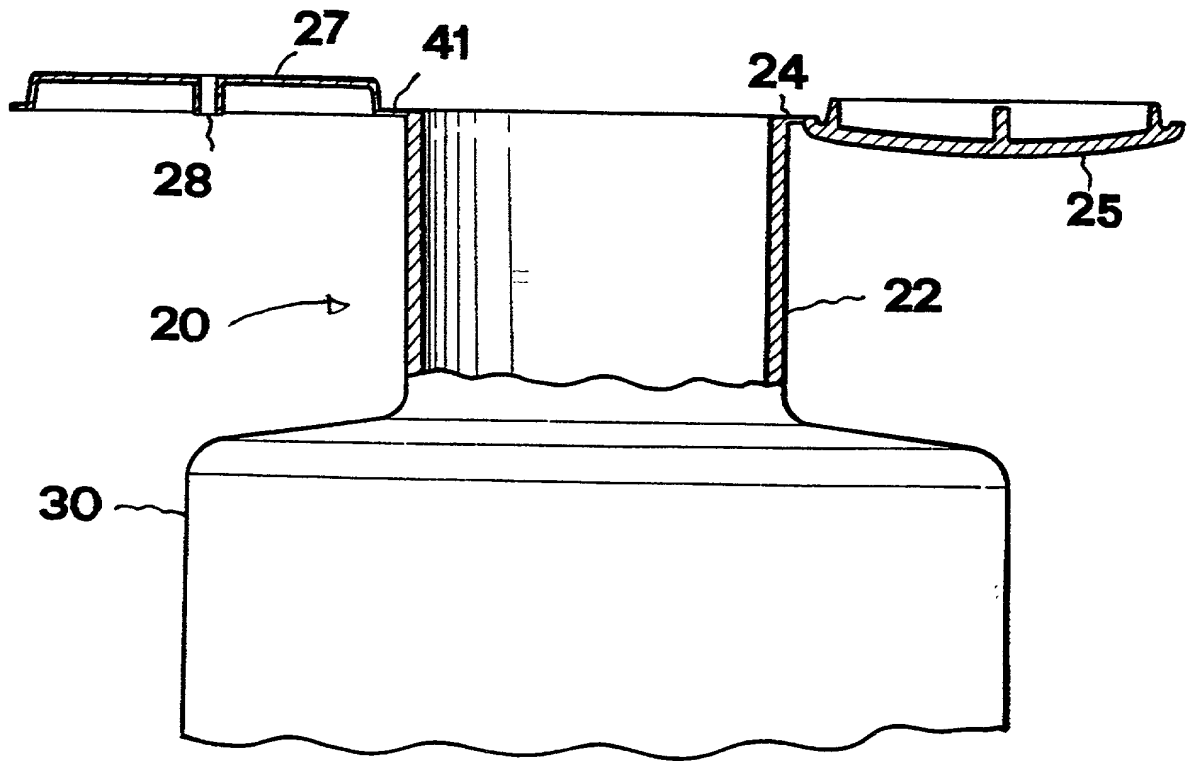


FIG. 7

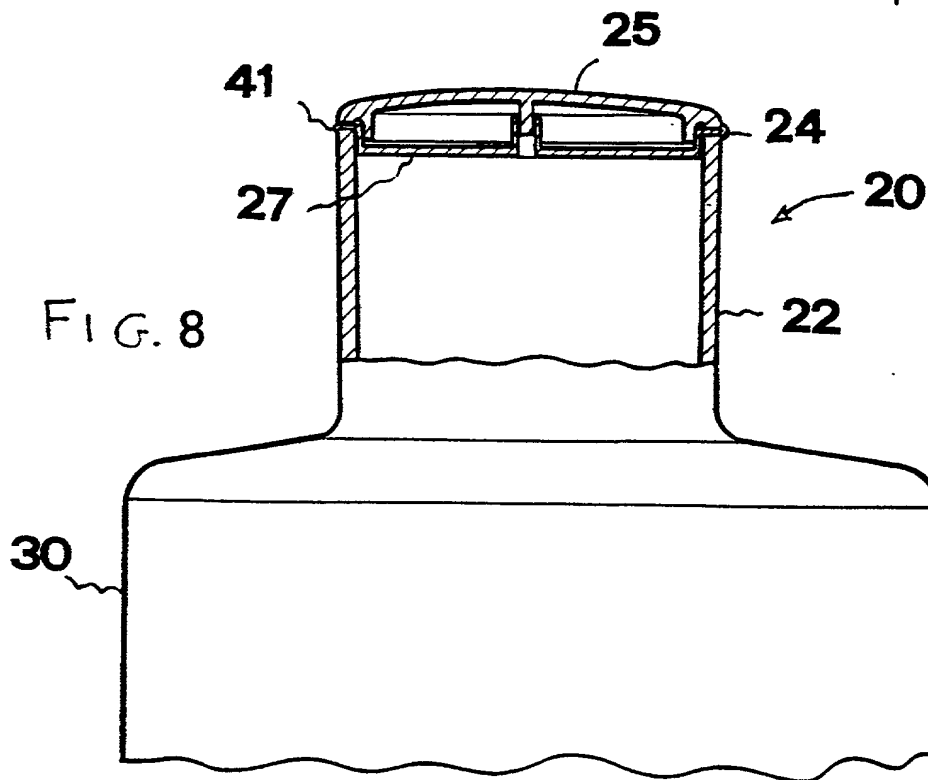


FIG. 8

FIG. 7

4/4

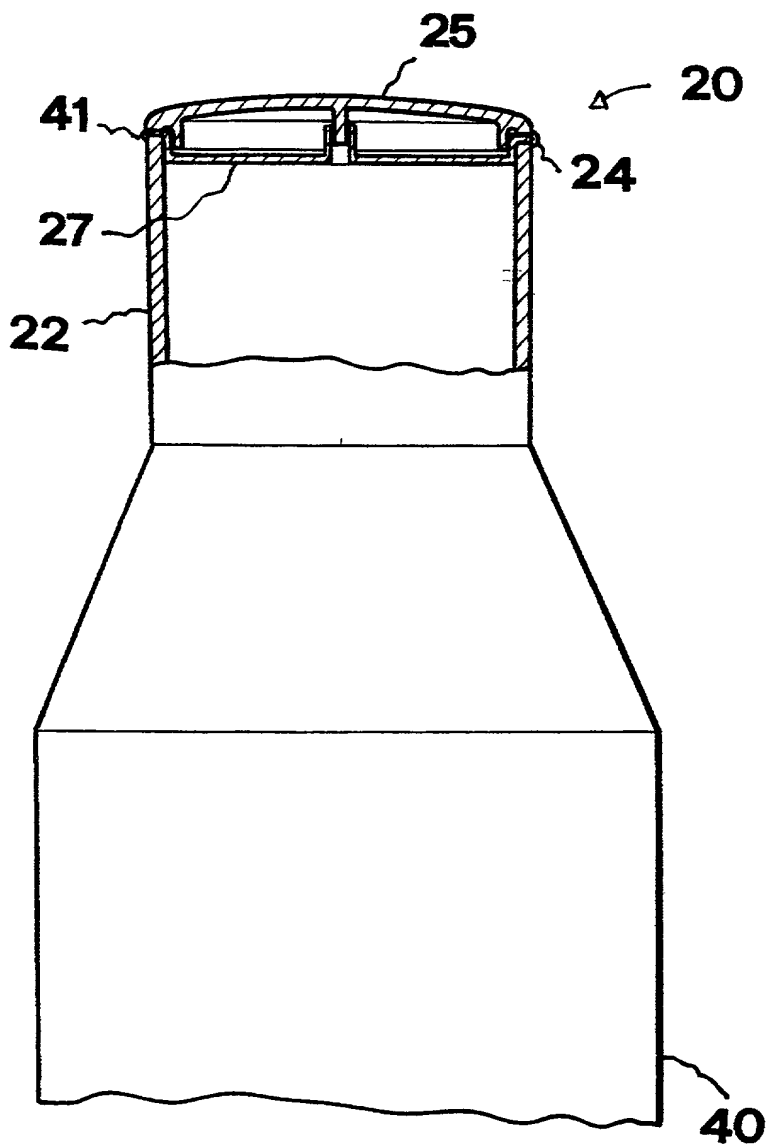


FIG. 9

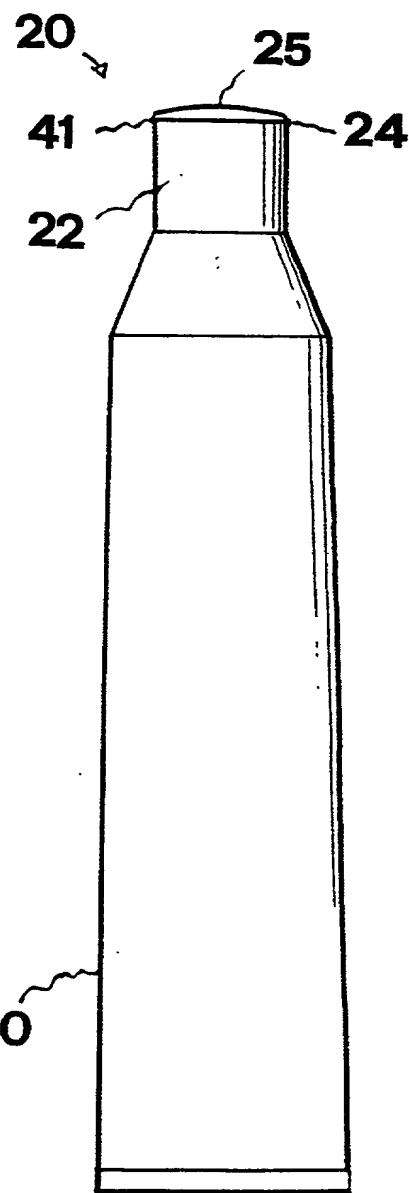


FIG. 10

Declaration, Power of Attorney, and Petition

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled COSMETIC PRODUCT CONTAINER AND METHOD FOR MAKING IT

(check one) ☒ is attached hereto. ☐ was filed on _____ the specification of which _____ as _____
Application Serial No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

(Number)	(Country)	Day/month/year filed	Priority claimed
MI99A 000216	Italy	4 February 1999	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PCT/IT/99/00338	PCT	22 October 1999	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status)	(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint

⑤ Edward A. Hedman, Reg. No. 22,120; James V. Costigan, Reg. No. 25,669; Kenneth F. Florek, Reg. No. 33,173; Alan B. Clement, Reg. No. 34,563; and Martin P. Endres, Reg. No. 35,498

Please send all correspondence to: James V. Costigan
Hedman & Costigan, P.C.
1185 Avenue of the Americas
New York, NY 10036

my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of sole or first inventor Giovanni Bogola
Inventor's signature Giovanni Bogola Date July 24, 2001
Residence Via Cavour, 53 ; 20026 Novate Milanese (Milano) Italy
Citizenship Italian
Post Office Address Via Cavour, 53 ; 20026 Novate Milanese (Milano) Italy

Full name of second joint inventor, if any _____
Second Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

(Supply similar information and signature for third and subsequent joint inventors.)